

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: SAN FRANCISCO

FILED  
07 DEC -4 PM 1:41  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES OF AMERICA,  
v.

SI

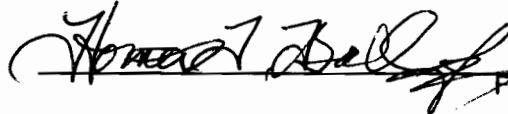
JUAN HERRERA-SANTOS

DEFENDANT.

## INDICTMENT

Title 8, United States Code, section 1326 - Illegal  
Reentry by an Alien After Deportation (Class C Felony)

A true bill.

  
Foreman

Filed in open court this 4 day of

Dec. 2007

  
**Brenda Tolbert**

Clerk

  
**MARIA-ELENA JAMES**

Bail, \$

no process

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**Title 8 U.S.C., Section 1326 -  
Illegal Reentry by an Alien After  
Deportation (Class C Felony)☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony**E-filing****PENALTY:**Maximum Prison Term of 20 Years;  
Maximum Fine \$250,000;  
Maximum Term of Supervised Release of 3 Years;  
Mandatory Special Assessment of \$100.**PROCEEDING**Name of Complainant Agency, or Person (& Title, if any)  
Department of Homeland Security/Immigration Customs Enforcement☐ person is awaiting trial in another Federal or State  
Court, give name of court☐ this person/proceeding is transferred from another  
district per (circle one) FRCrP 20, 21 or 40. Show  
District☐ this is a reprosecution of  
charges previously dismissed  
which were dismissed on  
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a  
pending case involving this same  
defendant☒ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.

07-70692

Name and Office of Person  
Furnishing Information on  
THIS FORM**SCOTT N. SCHOOLS**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

TAREK HELOU

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

JUAN HERRERA-SANTOS

DISTRICT COURT NUMBER

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer  
been filed? ☐ Yes ☐ NoIf "Yes"  
give date  
filed**DATE OF  
ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

Month/Day/Year

**DATE TRANSFERRED  
TO U.S. CUSTODY**

11/13/2007

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons  
or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

**ORIGINAL**

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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

**E-filing**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**CR 07**

**0764 SI**

UNITED STATES OF AMERICA,

No.

Plaintiff,

**VIOLATION:** 8 U.S.C. § 1326 – Illegal  
Reentry Following Deportation

v.

JUAN HERRERA-SANTOS,

SAN FRANCISCO VENUE

Defendant.

**INDICTMENT**

The Grand Jury charges:

On or about October 3, 2001, September 7, 2002, April 9, 2003, April 22, 2005, July 1,  
2005, November 30, 2005, November 28, 2006, and February 22, 2007, the defendant,

JUAN HERRERA-SANTOS,

an alien, was excluded, deported and removed from the United States, and thereafter, on or about  
September 17, 2007, was found in the Northern District of California, the Attorney General of the  
United States and the Secretary for Homeland Security not having expressly consented to a re-

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INDICTMENT

1 application by the defendant for admission into the United States, in violation of Title 8, United  
2 States Code, Section 1326.

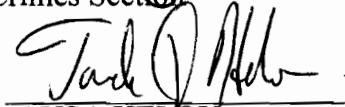
3  
4 DATED: *December 4, 2007*

A TRUE BILL.

5  
6   
FOREPERSON

7 SCOTT N. SCHOOLS  
8 United States Attorney

9   
10 KYLE F. WALDINGER  
11 Deputy Chief, Major Crimes Section

12 (Approved as to form: )

AUSA HELOU